

1 Martha G. Bronitsky
Chapter 13 Standing Trustee
2 24301 Southland Dr #200
Hayward, CA 94545-1541
3 (510) 266 - 5580

4 Trustee for Debtor(s)

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

7 In re

8 Edgar Adolfo Bautista
9 Ana Lilia Bautista

Chapter 13 Case No. 11-43344-WJL13

10 debtor(s)

11 **Trustee's Motion and Declaration to**
12 **Dismiss Proceedings for Case Deficiencies and Notice Thereon**

13 TO DEBTOR(S) AND DEBTOR(S)' ATTORNEY OF RECORD:

14 Martha G. Bronitsky, Chapter 13 Standing Trustee, hereby moves the court for an Order Dismissing
15 this case for cause pursuant to 11 U.S.C. §1307(c) based on unreasonable delay that it is prejudicial to
16 creditors: Failure to file an amended plan to provide for secured IRS claim.

17 The delay is unreasonable because the Debtor(s) is aware or should have been aware of these
18 requirements and the Trustee has previously requested these requirements be fulfilled.

19 Furthermore, the delay is prejudicial to creditors because disbursements cannot be made and
20 there is an automatic stay preventing collection efforts that would otherwise be available.

21 NOTICE IS HEREBY GIVEN that debtor or the attorney of record may request a hearing in
22 writing stating specific grounds for objecting to the dismissal of these proceedings to the court and
23 served on the trustee no later than twenty-one (21) days from the date of service of this motion. Trustee
24 will then schedule a hearing date and notice debtor and the attorney of record of said hearing date.

25 I declare under penalty of perjury that the foregoing is true and correct.

26
27 Date: May 13, 2011

/s/ Martha G. Bronitsky

Signature of Martha G. Bronitsky
Chapter 13 Standing Trustee

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have served a copy of the within and foregoing document on the debtor (s), counsel for debtor (s), and if applicable, the creditor, creditor representatives and the registered agent for the creditor by depositing it in the United States mail with first class postage attached thereto.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Edgar Adolfo Bautista
Ana Lilia Bautista
201 Monet Drive
Oakley, CA 94561

(Debtor(s))

Patrick L Forte Atty
1 Kaiser Plaza #480
Oakland, CA 94612

(Counsel for Debtor)

Date: May 13, 2011

/s/ Veronica Valdez

Veronica Valdez